

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KELLY ANGELL, individually and as parent and
natural guardian of her children, K.R.M., K.M.A.,
I.C.M. C.C.A, and Sade Angell, and DERONE
LEWIS, individually.

CIVIL ACTION NO. 2:23-cv-1268

Plaintiffs

JURY TRIAL DEMANDED

v.

CITY of PITTSBURGH, STEPHEN MESCAN,
JAMES MONKELIS, JOHN DOE #1, JOHN DOE
2, JOHN DOES # 3-10, JOHN DOES 11-20,

**PETITION PURSUANT TO LOCAL RULE 17.1 FOR LEAVE TO SETTLE MINORS'
CLAIMS AND TO SETTLE CLAIMS ON BEHALF OF AN INCAPACITATED ADULT**

AND NOW comes the Petitioner, Kelly Angel, guardian and natural parent of her minor children, K.R.M., K.M.A., I.C.M. C.C.A, and Sade Angell, an incapacitated adult, by and through her attorney, Margaret S. Coleman, Esquire, and petitions this Court for leave to settle the minors' claims, as well as the claims of Sade Angell, arising from an incident, the facts and alleged details of which are more fully set forth in the Plaintiffs' Complaint.

1. The minor plaintiffs' ages are as follows:

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]
- d. [REDACTED]

2. Sade Angell is an incapacitated individual who is older than eighteen years of age, and who remains under the care of her mother, Kelly Angell.

3. The minor plaintiffs and Sade Angell's allegations are as follows: Monroeville Police Officer James Monkellis obtained a warrant to search their home based on an affidavit of probable cause which contained material misrepresentations and omissions. The City of Pittsburgh

and Stephen Mescan utilized the SWAT team to serve the warrant despite knowing that the warrant was not supported by probable cause. The SWAT team deployed flash bang grenades in and around their home, broke down their doors, forcibly removed them, detained them outside of their home for several hours and contaminated their home with chemical gas. The minor plaintiffs and Sade Angell allege that this conduct violated their constitutional rights and caused them physical, emotional and psychological injuries. Defendants dispute many of these factual allegations and disputed that their conduct violated the plaintiffs' rights.

4. In accordance with ongoing settlement negotiations, of which this Court was notified, the Parties have agreed to settle the claims asserted in this action for \$185,000 inclusive of costs and fees, to be divided equally among the seven Plaintiffs. Of this sum, \$68,450 will be paid directly to Plaintiff's Counsel for fees and reimbursement of costs incurred in prosecuting this action. Counsel's fees represent 37% of the total settlement. Each minor plaintiff and Sade Angell will receive one seventh of the remaining \$116,650, or \$16,650.

5. It is the opinion of the undersigned counsel for the minor plaintiffs and Sade Angell, and the considered opinion of Kelly Angell (parent), that the foregoing settlement is fair and reasonable.

6. Plaintiff Kelly Angell requests Court approval to create and fund the following trust accounts with National Distribution Consultants, LLC, as Distribution Director and Inspire Trust Company, National Association, as Corporate Trustee:

- a. [REDACTED] Minor's Master Trust
- b. [REDACTED] Minor's Master Trust
- c. [REDACTED] Minor's Master Trust
- d. [REDACTED] Minor's Master Trust

7. The net settlement amounts payable to the minor plaintiffs shall be deposited into the above referenced Trust accounts.

8. The net settlement amount payable to Sade Angell shall be deposited into an ABLE account to be used for Sade Angell's disability-related expenses.

WHEREFORE, the petitioner requests this Honorable Court to enter an order approving the settlement of the minors' claims and Sade Angell's claims in this matter and directing the creation of accounts and distribution of proceeds set forth above.

Respectfully submitted,

/s/ Margaret S. Coleman
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